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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/577,449	05/24/2000	Scott C. Harris	BIOMETRICS	4716

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EXAMINER
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SHIN, KYUNG H

ART UNIT	PAPER NUMBER
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2443

NOTIFICATION DATE	DELIVERY MODE
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04/10/2013

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

scott@harrises.com  
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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
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Application No. : 09/577449  
Applicant : Harris  
Filing Date : 05/24/2000  
Date Mailed : 4-10-13

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

### *Notice of Allowance Mailed*

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

**Applicant is given 1 month from the mail date of this Notice, or the time remaining from the Notice of Allowance and Fee(s) Due, whichever is longer, within which to respond.**

The application is not in compliance with 37 CFR 1.78, as indicated in the attachment. The consequences of failure to respond within the above-identified time period are set forth in the attachment.

Even if the Office has recognized a benefit claim and has entered it into the Office's database and included it on applicant's filing receipt, the benefit claim is not a proper benefit claim unless the reference in compliance with 37 CFR 1.78 is included, depending upon the application's filing date and as indicated in the attachment, in an application data sheet or in the first sentence(s) of the specification and all other requirements are met.

**This period for reply is NOT extendable under 37 CFR 1.136(a).**

**See attachment.**

*A copy of this notice **MUST** be returned with the reply. Please address response to  
"Mail Stop Issue Fee, Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450".*

Kevin Danemark  
Publication Branch  
Office of Data Management  
(571) 272-4200

Application No. 09/577449

**APPLICATION FILED PRIOR TO SEPTEMBER 16, 2012,  
NOT IN COMPLIANCE WITH 37 CFR 1.78**

- ☐ The 37 CFR 1.78(a)(2) reference on the application data sheet or in the first sentence(s) of the specification does not indicate the relationship (continuation, division, continuation-in-part) to the prior U.S. nonprovisional application or international application designating the U.S. See document coded \_\_\_\_\_ dated \_\_\_\_\_, listing application number(s) \_\_\_\_\_.
- ☐ The 37 CFR 1.78(a)(2) reference on the application data sheet or in the first sentence(s) of the specification following the title does not provide the U.S. nonprovisional application number (series code and serial number) or, with respect to an international PCT application designating the U.S., it provides the international application number or international filing date but not both. See document coded \_\_\_\_\_ dated \_\_\_\_\_, in which the following is missing: \_\_\_\_\_.
- ☐ The 37 CFR 1.78(a)(2) reference on the application data sheet or in the first sentence(s) of the specification following the title shows an incorrect, incomplete, or illegible U.S. nonprovisional application number, international PCT application number, or international PCT filing date. See document coded \_\_\_\_\_ dated \_\_\_\_\_, in which the following error was made: \_\_\_\_\_.
- ☐ The 37 CFR 1.78(a)(2) reference to the prior U.S. nonprovisional application or international application designating the U.S. is not present on an application data sheet or in the first sentence(s) of the specification following the title, thus removing the validating link under 35 U.S.C. 119(a)-(d) to a prior foreign application or under 35 U.S.C. 119(e) to a prior U.S. provisional application.
- ☐ The 37 CFR 1.78(a)(2) reference to the prior U.S. nonprovisional application or international application designating the U.S. is not present on an application data sheet or in the first sentence(s) of the specification following the title.
- ☒ The 37 CFR 1.78(a)(5) reference to the prior U.S. provisional application is not present on an application data sheet or in first sentence(s) of the specification following the title.
- ☐ The 37 CFR 1.78(a)(5) reference to the prior U.S. provisional application on an application data sheet or in first sentence(s) of the specification following the title does not provide the provisional application number (series code and serial number). See document coded \_\_\_\_\_ dated \_\_\_\_\_, in which the following is missing: \_\_\_\_\_.
- ☐ The 37 CFR 1.78(a)(5) reference to the prior U.S. provisional application on an application data sheet or in first sentence(s) of the specification following the title shows an incorrect, incomplete, or illegible U.S. provisional application number. See document coded \_\_\_\_\_ dated \_\_\_\_\_, in which the following error was made: \_\_\_\_\_.
- ☐ Other: \_\_\_\_\_.

**HOW TO RESPOND**

A proper response to this notice would include any one of: (1) a supplemental Application Data Sheet (ADS) pursuant to 37 CFR 1.76(c) which provides benefit information that complies with 37 CFR 1.78(a)(2) or 37 CFR 1.78(a)(5); (2) an amendment to the first sentence(s) of the specification which provides benefit information that complies with 37 CFR 1.78(a)(2) or 37 CFR 1.78(a)(5); or (3) a petition filed pursuant to the provisions of 37 CFR 1.78(a)(3) or 37 CFR 1.78(a)(6) if the benefit information from the document identified above by code and date does not accurately reflect the benefits under 35 U.S.C. 119(e), 120, 121 or 365(c) as claimed by applicant (a grantable petition would include either a supplemental ADS or an amendment to the first sentence(s) of the specification as required by 37 CFR 1.78(a)(3)(i) or 37 CFR 1.78(a)(6)(i)). Such amendments to the specification or supplemental ADS submission may be filed after payment of the issue fee if limited to informalities noted herein. See Waiver of 37 CFR 1.312 for Document Required by Office of Patent Publication, 1280 Off. Gaz. Patent Office 918 (March 23, 2004).

**WARNING:** If Applicant fails to timely submit a proper response, the benefit information will be deleted and the patent will be printed without the benefit information present.